

500.40010VX1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: K. OHNISHI et al

Serial No.: 10/812,995

Filed: March 31, 2004

For: SEMICONDUCTOR DEVICE AND PROCESS FOR  
PRODUCING THE SAME

Group: 2818

Examiner: M. TRAN

Allowed: November 15, 2004 **ISSUE FEE PAID**

Conf. No. 5233

ATTN: Office of Petitions  
Wan Laymon - Petitions Examiner

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MAR 24 2005

**OFFICE OF PETITIONS**

**LETTER OF EXPRESS ABANDONMENT UNDER 37 CFR §1.138**

**MS: 313(c)**

Commissioner For Patents  
POB 1450  
Alexandria, VA 22313-1450

March 24, 2005

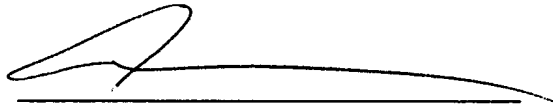
Sir:

On the granting of the accompanying Petition Under 37 CFR §1.313(a)(c), the undersigned attorney, designated as having Power of Attorney by the applicants in the Declaration and Power of Attorney for Patent Application, hereby expressly abandons the above-identified application as of the filing date granted to the continuing application and without prejudice or disclaimer of the subject matter thereof. (A continuation application of the above-identified application, pursuant to 37 CFR §1.53[b] was concurrently

filed herewith. A copy of the postcard receipt showing the UPSTO-stamped date with regard to the concurrently filed continuation application along with a copy of the transmittal paper directed thereto are enclosed.)

Kindly charge any shortage in the fees due in connection with the filing of this paper to the deposit account of Antonelli, Terry, Stout & Kraus Deposit Account No. 01-2135 (500.40010VX1) and please credit any excess fees to such deposit account.

Respectfully Submitted,  
**ANTONELLI, TERRY, STOUT & KRAUS, LLP**



Alan E. Schiavelli  
Reg. No. 32,087

AES/dks  
703-312-6600  
Attachments  
N:\500\40010VX1\LTR\BO3757.DOC

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		<b>Attorney Docket No.</b> 50040010CV2  <b>First Inventor</b> K. OHNISHI et al  <b>Title</b> SEMICONDUCTOR DEVICE AND PROCESS FOR PRODUCING THE SAME  <b>Express Mail Label No.</b> <div style="border: 2px solid black; padding: 5px; text-align: center; font-weight: bold;">RECEIVED</div>
<b>APPLICATION ELEMENTS</b> <b>SEE MPEP chapter 600 concerning utility patent application contents.</b>		<b>ADDRESS TO:</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 <div style="text-align: right; font-weight: bold;">MAR 24 2005</div>

<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> <b>Fee Transmittal Form</b> (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i></li> <li>2. <input type="checkbox"/> <b>Applicant claims small entity status.</b> See 37 CFR 1.27.</li> <li>3. <input checked="" type="checkbox"/> <b>Specification</b> [Total Pages <u>27</u>] Both the claims and abstract must start on a new page <i>(For information on the preferred arrangement, see MPEP 608 01(a))</i></li> <li>4. <input checked="" type="checkbox"/> <b>Drawing(s)</b> (35 U.S.C. 113) <i>Total Sheets:</i> <u>[7]</u></li> <li>5. <b>Oath or Declaration</b> [Total Sheets <u>4</u>]              a. <input type="checkbox"/> Newly executed (original or copy)              b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d))  <i>(for continuation/divisional with Box 18 completed)</i>              i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b>              Signed statement attached deleting inventor(s)              Named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)           </li> <li>6. <input type="checkbox"/> <b>Application Data Sheet.</b> See 37 CFR 1.76</li> <li>7. <input type="checkbox"/> <b>CD-ROM or CD-R</b> in duplicate, large table or Computer Program (<i>Appendix</i>)              i. <input type="checkbox"/> Landscape Table on CD           </li> <li>8. <b>Nucleotide and/or Amino Acid Sequence Submission</b>  <i>(if applicable, all necessary)</i>              a. <input type="checkbox"/> Computer Readable Form (CRF)              b. <b>Specification Sequence Listing on:</b>              i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or              ii. <input type="checkbox"/> Paper              c. <input type="checkbox"/> Statements verifying identity of above copies           </li> </ol>	<div style="text-align: center; font-weight: bold; border: 1px solid black; padding: 2px;">OFFICE OF PETITIONS</div> <b>ACCOMPANYING APPLICATION PARTS</b> <ol style="list-style-type: none"> <li>9. <input type="checkbox"/> <b>Assignment Papers</b> (cover sheet &amp; documents(s))</li> <li>10. <input type="checkbox"/> <b>37 CFR 3.73(b) Statement</b> <input type="checkbox"/> <b>Power of Attorney</b>  <i>(when there is an assignee)</i></li> <li>11. <input type="checkbox"/> <b>English Translation Document</b> <i>(if applicable)</i></li> <li>12. <input checked="" type="checkbox"/> <b>Information Disclosure Statement</b> (PTO/SB/08 OR PTO-1449) <input type="checkbox"/> Copies of Citations attached</li> <li>13. <input type="checkbox"/> <b>Preliminary Amendment</b></li> <li>14. <input checked="" type="checkbox"/> <b>Return Receipt Postcard</b> (MPEP 503) <i>(Should be specifically itemized)</i></li> <li>15. <input type="checkbox"/> <b>Certified Copy of Priority Document(s)</b> <i>(if foreign priority is claimed)</i></li> <li>16. <input type="checkbox"/> <b>Nonpublication Request</b> under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent.</li> <li>17. <input checked="" type="checkbox"/> <b>Other: Request for Examination and Search Claim for Foreign Priority; Credit Card Payment Form;</b></li> </ol>
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18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP)    of prior application No.: **10/812,995**  
 Prior application information: Examiner: M. TRAN    Art Unit: 2818

19. CORRESPONDENCE ADDRESS : THE ADDRESS ASSOCIATED WITH CUSTOMER NUMBER **020457**

<b>Signature</b>		<b>Date</b>	MARCH 24, 2005
<b>Name (Print/Type)</b>	LARRY N. ANAGNOS	<b>Registration No. (Attorney/Agent)</b>	32,392

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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R53(b) CONT. of S.N. 10/812,995

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Patent Dkt. No. 500.40010CV2 Attorney Initials LNA/dks

Application No. NYA Filing Date March 24, 2005

Applicant(s) K. OHNISHI et al

Papers Filed Herewith on March 24, 2005

Receipt is hereby acknowledged of the papers filed as indicated by the checked items in connection with the above-identified application:

- ☒ New Application Transmittal Form ☒ Credit Card Payment Form  
27 Pages of Specification (16 claims) Fees \$ 1,000.00  
7 Sheets of Drawings ☐ Amendment  
☒ Declaration (4 pages) ☐ Response to Office Action  
☒ Fee Transmittal Form ☐ Petition for Extension of Time (    mos.)  
☒ Claim for Priority ☒ Information Disclosure Statement  
☐ Priority Documents ☒ PTO-1449 ☐ Copies of References  
☐ Assignment Papers ☐ Revised Drawings (    sheets)  
☐ Issue Fee Transmittal ☐ Notice of Appeal  
☒ Other Request for Examination and Search; Figs. 1A-1E, 2A-2D, 3A-3D, 4A-4C, 5A-5C, 6A-6C, 7A-7C;



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